

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- October 18, 1967
November 22, 1967

Appeal No. 9377 John L. & Thomas A. Sligh, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered by the Board at its meeting on November 30, 1967.

ORDERED:

That the appeal for variance from the use provisions of the R-3 District to permit a flat at 323 Allison St., N.W., lot 824, Sq. 3308 be denied.

FINDING OF FACTS:

- (1) The subject property is located in a R-3 District.
- (2) The property is improved with a two-story and basement row dwelling.
- (3) The proponent of the appeal did not appear at the public hearing.
- (4) It is proposed that the dwelling be used and licensed as a flat.
- (5) Under the provisions of the zoning regulations, flats are first permitted as a matter of right in the R-4 District.
- (6) There was a complaint registered at the public hearing relative to the upkeep of the property and the decorum of the persons who reside there.
- (7) Opposition to the granting of this appeal was registered at the public hearing. The record contains three letters in opposition to the granting of this appeal.

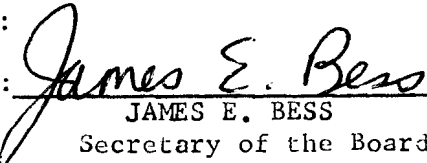
OPINION:

We are of the opinion that this appeal must be denied.

In order to support a variance from the use provisions of the statute, there must be a showing that the property cannot be used for its zoned purpose. In this instance the regulations permits only single-family dwellings. There has been no showing that the property cannot be used for single-family purposes.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
JAMES E. BESS
Secretary of the Board